

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

---

JANE DOE,

Plaintiff,

v.

C & A INDUSTRIES, LLC,

Defendant.

---

CASE NO. 4:20-cv-3034

**NOTICE OF REMOVAL**

TO: The Clerk of the United States District Court for the District of Nebraska.

Defendant, C & A Industries, LLC, notifies the Court that it has removed the above-referenced action from the District Court of Lancaster County, Nebraska, Case No. CI 20-619, pursuant to 28 U.S.C. §§ 1331 and 1441. In support of their removal, Defendant states as follows:

1. On February 25, 2020, Plaintiff, Jane Doe ("Plaintiff"), filed in the District Court of Lancaster County, Nebraska, the above-titled civil action, Case No. CI 20-619. Defendant was served on March 2, 2020. Plaintiff then filed her Amended Complaint on March 12, 2020, which was served on Defendant on March 16, 2020. The action is wholly civil in nature, and the United States District Court of Nebraska has original jurisdiction under 28 U.S.C. §§ 1331. The action may be removed by Defendant pursuant to 28 U.S.C. §§ 1441.

2. This Court has federal question jurisdiction over the action because Plaintiff's Amended Complaint seeks relief under the Title VII of the Civil Rights Act and the Nebraska Fair Employment Practices Act.

3. Pursuant to 28 U.S.C. § 1367, the Court has supplemental jurisdiction over Plaintiff's state law claims because they are so related to the federal claims that they form the same part of the case or controversy.

4. This Notice of Removal is being filed, pursuant to 28 U.S.C. § 1446, within thirty days of service of the Amended Complaint.

5. Defendant expressly reserves all defenses to Plaintiff's claims, including but not limited to all defenses based in law, equity, statute, constitution, jurisdiction, or immunity any other defense or avoidance and do not waive any defense by this removal.

6. Attached hereto as Exhibit A is Plaintiff's original Summons and Complaint and Amended Complaint, along with all other pleadings filed to date with the District Court of Lancaster County, Nebraska.

7. Attached as Exhibit B is a true and correct copy of the Notice of Filing of Notice of Removal, which has been served with this document on all parties and is being filed with the District Court of Lancaster County, Nebraska.

8. Defendants request trial of this matter in Lincoln, Nebraska.

**WHEREFORE**, Defendants pray that the above-entitled action be removed from the District Court of Lancaster County, Nebraska, to the United States District Court for the District of Nebraska.

Dated this 30<sup>th</sup> day of March 2020.

C & A INDUSTRIES, LLC, Defendant,

By: s/Allison D. Balus

Allison D. Balus (NE# 23270)

Susan K. Tvrdy (NE# 26687)

of BAIRD HOLM LLP

1700 Farnam St, Ste 1500

Omaha, NE 68102-2068

Phone: 402-344-0500

Facsimile: 402-344-0588

[abalus@bairdholm.com](mailto:abalus@bairdholm.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of March 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Kathleen M. Neary, Esq.

And I hereby do certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

None.

s/Allison D. Balus

DOCS/2440781.1